

CITY OF MIAMI BEACH
Office of the City Manager
Letter to Commission No. 227-2005



To: Mayor David Dermer and
Members of the City Commission

Date: August 30, 2005

From: Jorge M. Gonzalez
City Manager

A handwritten signature in black ink, appearing to read "Jorge", written over the printed name of the City Manager.

Subject: NORTH BEACH RECREATIONAL CORRIDOR

This letter is to inform you that we are one step closer to starting the construction of the North Beach Recreational Corridor (NBRC) project. The City of Miami Beach has received from the Florida Department of Environmental Protection (FDEP), notice of intent to issue permits for the NBRC project, pending approval from the Fish & Wildlife Conservation Commission (FWCC) and any potential written objections from the public.

After the FDEP notice of intent to issue permits were granted, two administrative hearing petitions were filed with the FDEP seeking formal hearings under Chapter 120, Florida Statutes, against the NBRC from three residents in the Altos del Mar neighborhoods. The City Attorney's office has asked the outside counsel that assisted in resolving some of the permitting issues with FDEP to represent the City in the FDEP permit challenge. An administrative hearing has been tentatively set for September 2005 before an Administrative Law Judge with the Division of Administrative Hearings. In addition, the administration and the City Attorney's Office have met with, and talked with, the residents and their counsel, and will explore a settlement agreement to resolve the residents' concerns, if possible. If a settlement cannot be reached with the Altos del Mar petitioners (Martin Taplin, Frank and Nancy Bona, and Dr. Jack and Mary Michel) and the litigation is required to resolve the disputes, phases 1 & 2 of the NBRC will continue with construction estimated to begin on those phases in January 2006. The only section of the NBRC that is being challenged is phase 3, from 76th Street to 79th Street.

As previously noted, the NBRC will create an environmentally sensitive recreational greenway which will interconnect a series of park facilities distributed throughout the City's residential North Beach District. The recreational path will run from 64th to 79th streets east of the erosion control line and west of the sand dune system. The path will be located either on City or State property, never on private property. It will also tie into a regional network of planned recreational trails/alternative transportation routes, called the Atlantic Greenway Network, connecting five public parks, eight beach access areas, and seven regional parking facilities in Miami Beach.

The Atlantic Greenway Network is made up of two main trail systems; the Beach Corridors, which extend in a general northbound/southbound direction, running between the erosion control line and the dune system; and the Neighborhood Trails, which extend in a general east-west as well as north-south directions through the south, middle, and north beach neighborhoods.

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Individual projects will be constructed to create a continuous trail network allowing for alternative transportation and community enhancement. The NBRC will be the most northern connection of the beach corridor connecting to the North Shore Open Space Park.

The NBRC project has been divided into three phases (see attached map):

Phase 1 - Allison Park	(64 th -65 th Street Park)
Phase 2 – Ocean Terrace	(65 th -76 th Street)
Phase 3 – Altos del Mar	(76 th -79 th Street)

The path running along the Ocean Terrace and Altos del Mar neighborhoods will be a mixed use path for bicyclists, pedestrians and rollerbladers. The path width will be 15 feet wide in Ocean Terrace transitioning to 10 feet wide in the Altos del Mar neighborhood. The change in width in the Altos del Mar path resulted from a request made by the Altos del Mar residents to move the path as far east as possible. The maximum distance that FDEP would allow between the Erosion Control Line (ECL) and the path is 30 feet. As a result, the path had to be narrowed to 10 feet to accommodate this request.

Additional modifications to the path design have been made as a result of requests from the Altos del Mar neighborhood, including an additional privacy berm running along the western side of the NBRC path. The proposed berm would be slightly higher than the path and would be heavily vegetated to provide a visual and physical screen between upland properties and persons on the NBRC path. A sand fence would also be available for installation along the western berm depending on the interest by the upland owners.

Landscaping along the path will generally consist of beach dune vegetation such as sea oats, sea grapes, and coconut palms as appropriate. Undesirable exotic species such as *scaevola frutescens* will be permanently removed and replanted with native species as part of the City's dune enhancement program. In anticipation of the NBRC project, beach compatible sand that has been donated to the City by the Carillon project has already been staged at North Shore Open Space Park. Over 4500 cubic yards of sand will be used for the enhancement of the dunes along the path.

Lighting is essential for the NBRC to improve public safety. Bollard light fixtures will be used throughout the entire path of the NBRC. Stringent FDEP and FWCC requirements for marine turtle nesting govern light intensity and direction. Florida's sandy beaches are nesting sites for several species of threatened or endangered species of marine turtle, which are protected by Section 370.12, Florida Statutes (the Marine Turtle Protection Act). Improper lighting can inhibit the successful nesting of turtles. The combination of light intensity (photometrics) required for security and the environmental restrictions for coastal lighting presented a unique challenge to the lighting design process. As a result, the City has worked to design a special light fixture for this project to meet the unique aesthetic, safety, and environmental demands of the project. A shorter bollard fixture with turtle shields is being developed to meet all FDEP and FWCC requirements.

Due to the proximity of the NBRC to the Coastal Construction Control Line and ECL, the City was required to obtain DEP CCCL permits for the project. Many of the design elements (especially the path) had to be planned and engineered based on FDEP requirements.

The current estimated cost of the project is approximately \$4.2 million. The City has secured the following funds: \$1,741,000 in funding from County Transportation Enhancement Funds; \$573,000 in Federal Housing and Urban Development grants; \$107,934 in ADA grant money; \$670,000 in GO Bond funds; \$960,000 from Federal SAFETEA-LU appropriations; and \$78,000 in North Beach Quality of Life funds.

Due to the extensive permitting process and sensitive nature of the project's environment, the NBRC is being managed by the Environmental Resources Management Division of Public Works. Please feel free to contact me if you have any issues or concerns regarding this project.

 JMG:RM\FHB\FV\jzr

c: Robert Middaugh, Assistant City Manager
Fred Beckmann, Public Works Director
Fernando Vazquez, City Engineer
Jordanna Rubin, Environmental Resources Manager
Murray H. Dubbin, City Attorney
Gary M. Held, First Assistant City Attorney

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NORTH BEACH RECREATIONAL CORRIDOR

LEGEND

PHASE 1- ALLISON PARK 64TH-65TH STREET PARK

PHASE 2 - OCEAN TERRACE 65TH - 76TH STREET

PHASE 3 - ALTOS DEL MAR 76TH -79TH STREET

TY LIMITS

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